

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

LAMONT WILLIAMS

Petitioner,

Case No. 11-cv-10992

Honorable Denise Page Hood

v.

PAUL D. KLEE,

Defendant.

\_\_\_\_\_/

**ORDER ACCEPTING MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION,  
DISMISSING THIS ACTION AS MOOT, AND DENYING CERTIFICATE OF  
APPEALABILITY**

This matter is before the Court on Magistrate Judge Paul Komives’s Report and Recommendation, filed August 29, 2012. The Magistrate Judge recommends that this Court dismiss Petitioner’s application for writ of habeas corpus as moot and deny Petitioner a writ of appealability. When examining a Magistrate’s Report and Recommendation, 28 U.S.C. § 636 governs the standard of review. This Court “shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1). This Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” *Id.*

Petitioner is a former state prisoner that was discharged from his sentence on June 24, 2011. On September 4, 2012, the Report and Recommendation was returned as undeliverable. The return envelope also indicated that Petitioner was discharged. Petitioner has not filed an alternative address for the Court to send correspondence. Necessarily, no objections have been

filed. For the reasons stated in the Magistrate Judge's August 29, 2012 Report and Recommendation, the Court accepts the Magistrate Judge's recommendation in its entirety.

Accordingly,

**IT IS ORDERED** that Magistrate Judge Paul Komives' Report and Recommendation [Docket No. 12, filed August 29, 2012] is **ACCEPTED** as this Court's findings of fact and conclusions of law.

**IT IS FURTHER ORDERED** that Petitioner's Application for Writ of Habeas Corpus is **DISMISSED AS MOOT**.

**IT IS FURTHER ORDERED** that the certificate of appealability is **DENIED**.

**IT IS SO ORDERED.**

Dated: October 31, 2012

s/Denise Page Hood  
DENISE PAGE HOOD  
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was mailed to the attorneys of record on this date, Wednesday, October 31, 2012, by electronic and/or ordinary mail.

s/Julie Owens  
Case Manager